

the U.N. team of counterterrorism and military experts. It argues, in my view, with justification that the events in Jenin must be seen in their proper context.

Israel did not invade Jenin on a whim; it did so to destroy the terrorist infrastructure, and only after the Palestinian Authority—this is an important point—only after the Palestinian Authority, whom the Israelis and the rest of the world equipped with weapons to keep peace and order—only after the Palestinian Authority refused to carry out its obligations to destroy this terrorist infrastructure.

According to the Israeli Government, 23 suicide bombers came from Jenin. These 23 were responsible for the deaths of 57 Israelis, and the injury of 1,000 more.

Is it fair—and I think it is fair—to ask the U.N. what its officials were saying to the Palestinian Authority about the use of a U.N.-run camp as a launching pad for terrorism? To many Israelis, it appears as if the U.N. turned a blind eye to Palestinian terrorism, while it seems intent on smearing Israel for its legitimate response to that terror.

I would suggest a fairer thing to do would be for the U.N. to hold an internal review and ask internally what the U.N. team in Jenin, responsible for Jenin, knew or did not know about the role the Palestinian Authority was playing. What did they know? I am not saying they were complicitous. What did they know?

With such a breakdown, wouldn't we be looking if it occurred here? If there was a group in charge of overseeing a particular dilemma within the United States, and something terrible happened, wouldn't we ask ourselves, What did we know about what was going on?

Nonetheless, not withstanding this, the Israelis have not rejected the U.N. team. Foreign Minister Peres of Israel, in a letter to Secretary of State Powell, has said the team should "examine the Palestinian terrorist infrastructure and activity in the camp and emanating from it which necessitated Israel's military actions. In doing so, the team will bear in mind the relevant elements of international law, including the right of self-defense and the obligation to prevent terrorism."

He goes on to say:

[I]n accordance with the fact-finding nature of the team, its work should be submitted as facts only, and not observations. This is a vital concern for Israel in order to avoid abuse and misuse of the work of the Team for political purposes.

Peres then goes on to add:

Israel understands that requests for interviews with public servants, past or present, or documents, will be made through the government of Israel. While Israel will carefully consider these requests, Israel will have the right to make final determinations regarding availability to the Team. This sovereign discretion is mandated by Israeli law.

Madam President, I ask unanimous consent that the entire text of the letter to Secretary of State Powell be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPUTY PRIME MINISTER,
AND MINISTER OF FOREIGN AFFAIRS,
Jerusalem, 29 April 2002.

Mr. COLIN POWELL,
Secretary of State, Washington, DC.

DEAR MR. SECRETARY: Enclosed are points I raised in a phone conversation with Secretary General Anman on 28 April 2002.

It will be incumbent upon the Team, in considering "recent events in the Jenin refugee camp" to examine the Palestinian terrorist infrastructure and activity in the camp and emanating from it which necessitated Israel's military actions. In so doing, the Team will bear in mind also the relevant elements of international law, including the right of self-defense and the obligation to prevent terrorism.

In accordance with the fact-finding nature of the Team, its work should be submitted as findings of facts only, and not observations. This is a vital concern for Israel in order to avoid abuse and misuse of the work of the Team for political purposes.

Israel understands that requests for interviews with public servants, past or present, or documents, will be made through the Government of Israel. While Israel will carefully consider these requests, Israel will have the right to make final determinations regarding availability to the Team. This sovereign discretion is mandated by Israeli law. Equally, in the spirit of fairness, and with a view to assuring that accurate factual information is provided, Israel should have the opportunity, during the fact-finding work of the Team, to comment on any statements received by the Team from any other Israeli individuals or organizations.

I emphasized the sensitive nature of Israel's present situation, both here in the area and in international fora. Faced with a relentless battle against terrorism, on the one hand, and wishing to cooperate with the international community, on the other, we are obliged to ensure that our very basic interests, and those of our military and security servicemen, are fully protected.

Sincerely yours,

SHIMON PERES.

Mr. BIDEN. Madam President, what is so unreasonable about these requests? Would any other democratic country behave any differently? Indeed, would any Arab country ever be subjected to a similar factfinding investigation in the first place? Perhaps the false cries of massacre coming from Arab circles are a reflection of what they may have come to expect from their own governments.

Was there ever a U.N. factfinding team that investigated the Syrian massacre of as many as 20,000 civilians in the city of Hama in 1982? Was the international press corps ever able to conduct their own investigations there as they are now in Jenin?

Was there ever a U.N. investigation of the genocidal Anfal campaign launched by Saddam Hussein against the Kurds in the late 1980s?

Of course not. There is a double standard when it comes to Israel. And many of those criticizing Israel today know that Israel holds itself to a higher standard than the countries I mentioned.

And Israel is saying the U.N. team is welcome as long as it has a fair man-

date and agreed-upon terms of reference. If there is to be true fact-finding, and not a witch hunt, then what is so unreasonable about Israel's requests?

My purpose is not to apologize for Israel. As some of you know—both in the caucus, out of the caucus, here on the floor, and in other fora—I have been very critical of some of Israel's actions.

Indeed, many Israelis have raised questions about the military operation in Jenin, including allegations of disproportionate use of force and the denial of medical and humanitarian access.

In fact, the leading Israeli newspaper editorialized yesterday that the army should conduct an internal investigation about possible gratuitous vandalism and destruction of property.

Did Israel do everything right in Jenin? In all probability, no. Did they engage in a wholesale massacre of innocent civilians? No.

How many Arab countries have the capacity for such self-examination? How many Arab countries have a supreme court that would do as the Israeli Supreme Court did to intervene to prevent the Israeli Army from removing bodies in Jenin?

We are not talking about some dictatorship or puppet regime. The Israeli Supreme Court—not an international organization—the Israeli Supreme Court intervened and said: Whoa, don't remove those bodies, army. We want to know what the facts are.

So to give this presumption that Israel intentionally massacred, and then attempted to cover up, I think is incredibly unfair and will be proven, beyond a reasonable doubt, to be wrong.

I believe we have an obligation to examine the facts before we jump to conclusions. Based on reports now coming from Jenin, it appears that far too many reached conclusions before they had the facts.

In the end, Madam President, some may choose to cling to myths in order to perpetuate hatred and conflict. Some prefer to live in the realm of fiction rather than deal with cold, hard facts. But the rest of us should not engage in such self-delusion. If my reading of the facts is correct—and it may not be—but if it is correct, then we will, in the coming days, see the Jenin massacre as the massacre that never was.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate

proceed to a period of morning business with Senators allowed to speak therein for a period not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEW SOLUTIONS TO CHINESE PROLIFERATION PRACTICES

Mr. BYRD. Madam President, an official of the People's Republic of China, who many say will be the next leader of China when the scheduled leadership succession occurs next fall, is making his first visit to the United States this week. Mr. H.E. Hu Jintao, the current Vice President of China, will be getting his first up-front taste of official Washington. This is an opportunity to make it clear how we feel about certain Chinese policies, most particularly in the area of Chinese proliferation practices. Let's hope he takes back with him the right impressions.

President Bush made a summit visit to China, and met with President Jiang Zemin this past February. I liked the tone that he set in the meeting with Chinese leaders. He was serious and businesslike, and eschewed what had been a practice of overly positive glad-handing which runs the risk of communicating the wrong message.

President Bush's approach, it would appear, did seem to be somewhat productive with the Chinese leadership. For example, during a speech at Tsinghua University in Beijing, the President made a strong case for American values and religious freedom. The speech was broadcast live and unedited throughout China, an unprecedented event for an American President. So that is a small step forward, and I commend the President on his speech, which I hope received wide attention in China.

Less successful were the President's attempts to bring the Chinese around on the matter of proliferation of technologies associated with weapons of mass destruction and their delivery systems. This has been a bone of contention between the U.S. and China for many years, despite repeated assurances by the Chinese that they would cease providing these technologies to states such as Iran, Iraq, Sudan, Pakistan, North Korea, Libya and others.

For example, in November of 2000, the U.S. and China signed an agreement stipulating that China would stop its proliferation practices. The Chinese have not yet implemented that agreement. We should insist on implementation. The same goes for the multilateral Missile Technology Control Regime, the MTCR, a voluntary agreement among 28 nations to restrict the proliferation of weapons of mass destruction. China, although not among the 28 member nations, has promised to adhere to the MTCR. Let's see some delivery on that. Although President Bush has made new proposals in this area to the Chinese leaders, to date, his efforts have been rebuffed.

The Chinese have also stated that they are ready to issue export control regulations that will make it clearly illegal for Chinese companies to proliferate specific items. Where is the list? We might wish to consider making certain transfers of technology or other items the Chinese want from us contingent on an acceptable export control list plus the implementation and enforcement of export control regulations. This is an area where we need to close some loopholes and demonstrate to the Chinese that the United States is serious about stopping this dangerous practice. The Chinese are very attentive to actions, and not overly impressed by rhetoric.

The Chinese seem to have the psychology backwards. In order for them to comply with commitments they have already made, they have said that the U.S. should provide more incentives to deliver on their promises. They would like, in particular, for the U.S. to free up and approve licenses for satellite launches in China. I see it the opposite way: in the face of noncompliance and lack of progress on the November 2000 pledges regarding missile technology exports, we should, first, refuse to grant any licenses for satellite launches in China; and, second, withhold or prohibit the export of additional high technology and science that the Chinese badly want.

What is the current situation? First, the so-called sanctions regime which penalizes such behavior does not work. When a Chinese company is found to have provided missile technologies to, let us say, Iran or Iraq, U.S. law today provides that the company be prohibited from doing business in the U.S. The prohibition may look good on paper, but it appears to provide no real deterrent to Chinese companies that deal on the international market.

Second, the Chinese government makes a pretense of not knowing that so-called private companies in China are engaging in this behavior. This boggles the mind. Of course the government knows, or can quickly find out. We need to help the Chinese government focus on this matter, and so I propose that we consider changing our sanctions laws in this area to penalize the Chinese government itself for this behavior, regardless of whether the culprit is the government or a private company. Restrictions could be immediately slapped on exports of various technologies and scientific advances from the U.S. that are of high importance to the Chinese, such as space launch and other technologies that they covet from us. Only by immediate and painful steps will the Chinese government be motivated to end this practice, and drop the pretense of being ignorant of these transactions.

The Chinese government is capable of practicing a very effective form of brutal dictatorship in areas, such as religious freedom, and freedom of the press and assembly, any time it chooses to do so. It has been very effective, for ex-

ample in crushing the Falun Gong religious movement in a very short period of time throughout China. Surely Chinese leaders can exert equal pressure to stop the proliferation of missile technology and end a practice that is anathema to civilized nations and the international community.

I would remind my colleagues that the Chinese themselves do not hesitate to use trade sanctions to correct what they see as unfair actions by other nations. Recently, when the Japanese slapped high tariffs on Chinese mushrooms and other agricultural products, the Chinese immediately retaliated by stopping the importation into China of Japanese automobiles. The Japanese got the message in very short order and dropped the agricultural tariffs. So the Chinese know how to fashion punishments to fit the crime. That is all I am suggesting here. We should consider a credible sanctions regime, on items that the Chinese really care about, that could stop in its tracks the very dangerous practice of the proliferation of advanced missiles systems and weapons to states which should not be getting them.

A related consideration is that the Chinese, who are relying more and more on imported oil, seem to be attempting to secure long-term energy contracts with the regimes which are the recipients of their advanced weapons technologies. To the extent that there is a quid pro quo here, and clearly that appears to be the case, we might consider helping the Chinese secure contracts for energy supplies from sources other than rogue states, on the condition that proliferation end. This form of carrot could well be used as an incentive to change behavior.

In sum, I am suggesting a mixed basket of disincentives and incentives, penalties and rewards, to encourage the Chinese to get out of the proliferation business.

Secretary of State Powell has called Chinese noncompliance on nonproliferation an "irritation" in the U.S.-Chinese relationship. I would characterize it as an open wound.

The Chinese are dragging their feet on implementing agreements and assurances with the U.S. on proliferation, and hiding behind various transparent excuses. It is time for Congress and the Administration to consider specific changes in the laws dealing with sanctions on proliferation practices.

CHANGES TO H. CON. RES. 83 PURSUANT TO SECTION 314

Mr. CONRAD. Madam President, section 314 of the Congressional Budget Act, as amended, requires the chairman of the Senate Budget Committee to make adjustments to budget resolution allocations and aggregates for amounts designated as emergency requirements pursuant to section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Pursuant to section 314, I hereby submit the following revisions to H. Con.